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SKY CHEFS, INC. and ERNIE FRENCH

FILED

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 JOSETTE MARTINEZ,

13 Plaintiff,

14 vs.

15 SKY CHEFS, INCORPORATED, ERNIE
FRENCH and DOES 1-50, inclusive,

16 Defendants.

) Case No. 5:13-cv-01754-RMW

) Judge: Hon. Ronald M. Whyte

) Ctrm: 6

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER RE MEDIATION**
) **COMPLETION DEADLINE**

) N.D. Cal. Civ. Local Rule 6-2

) Action Filed: April 18, 2013

) Trial Date: None Set

1 Plaintiff Josette Martinez ("Plaintiff") and Defendant Sky Chefs, Inc. ("Defendant"), by and
2 through their respective counsel of record in this action pursuant to Northern District Civil Local
3 Rules 6-1(b) and 6-2, hereby present the following Stipulation and [Proposed] Order modifying the
4 mediation completion deadline:

5 WHEREAS, pursuant to the Court's August 12, 2013 Case Management Order (Doc. 17),
6 this matter was referred to mediation at the parties' request and the Court set a mediation
7 completion deadline of January 9, 2014;

8 WHEREAS, the parties have been working to complete the discovery both sides believe is
9 necessary to make the mediation likely to resolve the case;

10 WHEREAS, the parties believe that the completion of Plaintiff's deposition is necessary to
11 facilitate the completion of a fruitful mediation in this matter;

12 WHEREAS, Plaintiff's deposition was previously scheduled but had to be delayed due to
13 the parties' efforts to informally resolve certain discovery disputes regarding documents to be
14 produced prior to Plaintiff's deposition;

15 WHEREAS, the parties have resolved their discovery disputes and are working to
16 reschedule Plaintiff's deposition, but will be unable to complete Plaintiff's deposition in time to
17 schedule the mediation for a date after Plaintiff's deposition but prior to the current mediation
18 completion deadline;

19 WHEREAS, the parties are confident that a mediation following Plaintiff's deposition can
20 be scheduled and completed during the month of January 2014;

21 WHEREAS, the parties have contacted the assigned mediator regarding these scheduling
22 issues and Mr. Hodgkins has confirmed that he agrees with the parties' proposal set forth in this
23 Stipulation;

24 WHEREAS, pursuant to Northern District Civil Local Rule 6-2(a), the Declaration of
25 Connor J. Moyle in support of the parties' Stipulation and Proposed Order is filed concurrently
26 herewith;

27 NOW THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE
28 PARTIES AND THEIR COUNSEL OF RECORD, AND THE PARTIES JOINTLY REQUEST

1 THAT THE COURT ORDER, THAT:

2 The mediation completion deadline currently set for January 9, 2014 is extended to
3 February 1, 2014.

4 IT IS SO STIPULATED.

5 Dated: December 26, 2013

CAROTHERS DiSANTE & FREUDENBERGER LLP

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7 By: /S/ Connor J. Moyle

8 Connor J. Moyle

Attorneys for Defendant

SKY CHEFS, INC.

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10 Dated: December 26, 2013

FRANKLIN EMPLOYMENT LAW GROUP, LLC

11
12 By: Eugene T. Franklin

Eugene T. Franklin

Attorneys for Plaintiff

JOSETTE MARTINEZ

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT:

The mediation completion deadline currently set for January 9, 2014 is extended to February 1, 2014.

Dated: FEB 1

Ronald M. Whyte

The Honorable Ronald M. Whyte
Judge of the United States District Court,
Northern District of California